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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/582,710

06/12/2006

Yong Liang

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07/31/2008

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EXAMINER

TRAN, QUOC DUC

ART UNIT

PAPER NUMBER

2614

MAIL DATE

DELIVERY MODE

07/31/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/582,710

Applicant(s)

LIANG, YONG

Examiner

Quoc D. Tran

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-7 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bella (6,181,775) in view of Posthuma (6,496,566).

Consider claims 1 and 7, Bella teaches a system and method for testing subscriber lines, comprising a broadband line testing control module and a remote terminal subscriber access control module located at a subscriber line between the broadband line testing control module and a remote terminal unit (see Fig. 6 and Fig. 7), wherein said broadband line testing control module configured to send a signal of disconnecting the subscriber line to the remote terminal subscriber access control module, and test the subscriber line; said remote terminal subscriber access control module is configured to receive said signal from the broadband line testing control module, and control the remote terminal unit to disconnect from the subscriber line based on said signal (see col. 8 lines 10-37).

Bella did not suggest wherein broadband line testing control module configured to send a signal of disconnecting the subscriber line to the remote terminal subscriber access control module through a terminal managing channel of a Digital Subscriber Line Access Multiplexer (DSLAM). However, Posthuma suggested such (col. 2 lines 24-31 and 41-67; col. 4 lines 10-28).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Posthuma into view of Bella in order to remotely test for faults on lines that provides both voice and digital services.

Consider claims 2-3, the combination of Bella and Posthuma teach the claimed features (see col. 8 lines 25-53 of Bella; and col. 2 lines 24-31 and 41-67; col. 4 lines 10-28 of Posthuma).

Consider claims 4, 10-11, Bella teaches the claimed features (see col. 9 lines 17-28; col. 10 lines 6-11).

Consider claim 5, Bella teaches the claimed feature (see Fig. 7).

Consider claim 6, the combination of Bella and Posthuma teach the claimed features (see Fig. 6 of Bella and Fig. 2 of Posthuma).

3. Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bella (6,181,775) in view of Posthuma (6,496,566) and further in view of Ginesi et al (2003/0063711).

Consider claims 8 and 9, Bella disclosed that the request signal may take any number of forms (see col. 3 lines 25-28). However, Bella did not specifically suggest wherein the signal is transmitted through a message based on G994.1 protocol and sending a handshake message to the remote terminal unit prior to the step of sending a disconnecting signal of disconnecting subscribe line. However, Ginesi et al suggested such (see paragraphs 0005-0008; it should be noted that the G994.1 is one of a version of the xDSL ITU standard). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Ginesi et al in order initialize communications prior allow or perform any communications (i.e., standard procedure in xDSL communications).

Response to Arguments

4. Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:

Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on Monday-Friday from 8:00 to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).